

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

LEONARDO R. COIZEAU,
Plaintiff(s),

v.

STEADFAST INSURANCE COMPANY,
Defendant(s).

Case No.: 2:20-cv-00588-RFB-NJK

ORDER

[Docket No. 24]

Pending before the Court is a stipulation to reopen and extend deadlines by four months. Docket No. 24. That stipulation was filed two months after the close of discovery, a month after the dispositive motion deadline, and the day before the deadline to file a joint proposed pretrial order. *See* Docket No. 21. The stipulation explains that the parties plan to engage in a mediation on February 23, 2021, and that discovery remains to be completed in the event that the mediation is unsuccessful. *See* Docket No. 24 at 2. The stipulation asserts that the discovery was not completed previously because Defendant's counsel left employment with his firm in the twilight of the discovery period and was then replaced by new counsel. *See id.*

The stipulation provides good cause to extend the unexpired deadline to file a joint proposed pretrial order in light of the upcoming mediation. Accordingly, this aspect of the stipulation will be granted and the deadline to file the joint proposed pretrial order will be extended to March 25, 2021.

1 To reopen and extend the discovery cutoff,¹ the parties must show that good cause exists
2 (which requires a showing that the discovery remaining could not have been completed by the
3 deadline as previously set despite the reasonable diligence of the parties) and must also show
4 excusable neglect pertaining to the failure to seek relief before the deadline's expiration. *See, e.g.*,
5 Local Rule 26-3. The stipulation does not provide a robust showing on either of these fronts and
6 it is not clear that the standards can be satisfied in this case. Moreover, the stipulation makes clear
7 that this discovery will only be sought in the event that the mediation is unsuccessful. *See* Docket
8 No. 24 at 2. Accordingly, this aspect of the stipulation will be denied without prejudice to seeking
9 relief in the event the mediation is unsuccessful.

10 Accordingly, the stipulation is **GRANTED** in part and **DENIED** without prejudice in part.
11 The deadline to file the joint proposed pretrial order is **EXTENDED** to March 25, 2021, but the
12 subject deadlines otherwise remain unchanged at this juncture.

13 IT IS SO ORDERED.

14 Dated: January 15, 2021

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Nancy J. Koppe
United States Magistrate Judge
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28 ¹ The stipulation includes no discussion specific to reopening and extending the dispositive
motion deadline.